

SMITH – Serial No. 10/002,616

REMARKS/ARGUMENTS

Upon entry of this Amendment, claims 1-6, 8-18, and 20-36 will be pending of which claims 1, 3 and 20 are independent. Claim 1 has been amended to include that the polyethylene comprises up to 4 wt% co-monomer. Also, the wear coefficient that was featured in claim 1 has been moved to new claim 36. Furthermore, claim 7 has been cancelled and claim 8 has been revised in view of the co-monomer feature in amended claim 1. Support for the above amendments can be found throughout the application as filed, *e.g.* on page 4, lines 15-16. No new matter has been introduced and reconsideration of the outstanding rejections is respectfully requested in view of the above amendments and the following remarks.

Preliminarily, Applicants kindly note that an initialed copy of Applicants' Form PTO-1449 dated September 23, 2002, and a Form PTO 892 were not enclosed with the outstanding Office Action. Copies thereof are herewith kindly requested.

Applicants gratefully acknowledge the allowance of claims 3 and 20-35. Furthermore, Applicants gratefully acknowledge the Examiner's mentioning in paragraph 5 of the outstanding Office Action that "[c]laims 9 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action." In this regard, because no §112 rejections were set forth in the outstanding Office Action, Applicants assume that the Examiner intended to mention that claim 9 would be allowable "if rewritten in independent form".

Claims 1-2, 4-8, and 10-18 stand rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Item No. 42,807-8 on page 1361 of the 1998-1999 Aldrich Catalog (hereinafter "Item 42,807-8"). Applicants respectfully traverse these rejections for at least the following reasons.

Claim 1, as amended, relates to a polyethylene having, *inter alia*, a co-monomer content up to 4 wt%. The Aldrich Catalog states that Item 42,807-8 is co-polymerized with 5-10 wt% hexene. Accordingly, it is respectfully submitted that Item 42,807-8 does not teach or suggest instant claim 1 -- much less the claims dependent thereon, *i.e.* claims 2, 4-8, 10-18, and 36.

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For any and all of the above reasons, it is respectfully submitted that the present invention is patentable.

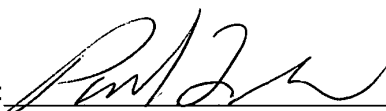
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CONCLUSION

All rejections having been addressed and overcome, it is respectfully submitted that the present invention is in condition for allowance and a Notice to that effect is courteously solicited. If any questions remain, however, the Examiner is encouraged to call the undersigned attorney to expedite the prosecution of this application.

Respectfully submitted,

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